

S/N 09/905,189

PATENT

#10

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	WEI ET AL.	Examiner:	J. PAK
Serial No.:	09/905,189	Group Art Unit:	1616
Filed:	JULY 13, 2001	Docket No.:	163.1438US01
Title:	<i>IN SITU</i> MONO- OR DIESTER DICARBOXYLATE COMPOSITIONS		

CERTIFICATE UNDER 37 CFR 1.6(d):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on January 15, 2003.

By:

Name: Sheryl A. Beerboom

SUPPLEMENTAL RESPONSE TO SPECIES ELECTION REQUIREMENT

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This supplements the Response to Species Election Requirement that was submitted to the U.S. Patent and Trademark Office on November 25, 2002. Although the previous response was complete, Applicants wish to amend certain of the details of that previous response.

The Examiner had asserted that the claims of the present application are generic to a plurality of disclosed patently distinct species comprising mono or diester dicarboxylates, such as monomethyl malonate or dihexyl succinate. The Examiner had required Applicants to elect a single disclosed species, even though this requirement is traversed.

In response, Applicants had respectfully traversed this requirement.

First, Applicants had requested that the Examiner search compositions of hydrogen peroxide and any single mono-or-diester dicarboxylate. Applicants maintain this request.

Second, in the event that the Examiner maintained the species election requirement, Applicants had elected the species of sebacic acid esters for searching. Applicants respectfully request that the Examiner consider an alteration to this election.

Now, should the Examiner maintain the species election requirement, Applicants respectfully request election of the closely related species of adipic acid esters and sebacic acid esters for searching at this time. Applicants respectfully submit that in searching for any

particular adipic acid esters and sebacic acid esters, the Examiner will search the entire range of adipic acid esters and sebacic acid esters. Therefore, it is respectfully submitted that searching all adipic acid esters and sebacic acid esters presents no undue burden.

Should the Examiner require election of a particular family of esters, Applicants elect sebacic acid esters.

Should the Examiner require election of particular esters, Applicants elect dimethyl adipate and dimethyl sebacate.

Third, in the previous response, in the event that the Examiner required the election of a single sebacic acid ester, Applicants had elected monomethyl sebacate. Applicants respectfully request that the Examiner consider an alteration to this election.

Now, should the Examiner require the election of a single ester, Applicants respectfully request election of dimethyl sebacate.

Applicants note that should a generic claim be found allowable, the species election requirement will be withdrawn.

Respectfully submitted,

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Date:

Jan 15, 2003

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TO: Commissioner for Patents
Attn: Examiner John D. Pak
Patent Examining Corps
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FROM: Mark T. Skoog

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Title of Document Transmitted:

**SUPPLEMENTAL RESPONSE TO SPECIES
ELECTION REQUIREMENT**

Applicant: WEI ET AL.
Serial No.: 09/905,189
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Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By:

Name: Mark T. SkoogReg. No.: 40,178

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